

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK OWEN, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

ELASTOS FOUNDATION, FENG HAN, and
RONG CHEN,

Defendants.

Hon. Gregory H. Woods

Civil Action No. 1:19-cv-5462-GHW

DECLARATION OF JAVIER BLEICHMAR IN SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL

I, Javier Bleichmar, hereby declare pursuant to Section 1746 of Title 28 of the United States Code:

1. I am a partner of the law firm Bleichmar Fonti & Auld LLP, counsel for lead plaintiffs Mark Owen and James Wandling ("Plaintiffs") in this action. I submit this declaration in support of Plaintiffs' motion to overrule Defendants' objections to producing discovery based on China's Personal Information Protection Law ("PIPL") and to compel Defendants to collect and produce all responsive documents in their possession, custody, or control, regardless of any individual's lack of "consent."

2. Attached hereto as **Exhibit 1** is a true and correct copy of Plaintiffs' First Requests for Documents, dated January 26, 2022.

3. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants' Initial Disclosure Statement Pursuant to Federal Rule of Civil Procedure 26(a)(1), dated February 1, 2022.

4. Attached hereto as **Exhibit 3** is a true and correct copy of Defendants' Joint Set of Objections And Responses to Plaintiffs' First Requests for Documents, dated February 25, 2022.

5. Attached hereto as **Exhibit 4** is a true and correct copy of a Letter from Defendants' counsel to Plaintiffs' counsel regarding Defendants' responses to Plaintiffs' document requests, dated April 13, 2022.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a Letter from Plaintiffs' counsel to Defendants' counsel regarding "Defendants' Document Production," dated April 27, 2022.

7. Attached hereto as **Exhibit 6** is a true and correct copy of a Letter from Defendants' counsel to Plaintiffs' counsel regarding Defendants' responses to Plaintiffs' document requests, dated May 4, 2022.

8. Attached hereto as **Exhibit 7** is a true and correct copy of the transcript of the May 26, 2022 hearing in this action.

9. Attached hereto as **Exhibit 8** is a true and correct copy of a Letter from Defendants' counsel to Plaintiffs' counsel regarding document discovery, dated June 8, 2022.

Dated: New York, New York
June 13, 2022

By: /s/ Javier Bleichmar
Javier Bleichmar